

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Purolite Corporation, Purolite AG, and Purolite K.K.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
 Leonard A. Feiwus, Gavin Schryver, Deva Roberts, Kasowitz, Benson, Torres & Friedman LLP, 1633 Broadway New York, NY 10019 (212) 506-1785

DEFENDANTS

Hitachi America, Ltd., AVANTech, Inc., James Braun, Tracy Barker, and John and Jane Does 1 through 20

ATTORNEYS (IF KNOWN)

For AVANTech, Inc.: Craig N. Killen, Nelson, Mullins, Riley & Scarborough LLP, Bank of America Corporate Center, 42nd Floor, 100 North Tryon Street, Charlotte, NC 28202 (704) 417-3127

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

18 U.S.C. § 1836(b). Trade secret misappropriation pursuant to the Defend Trade Secrets Act of 2016, 18 U.S.C. § 1836(b), and state law claims of trade secret misappropriation, tortious interference with contract and business relations, unfair competition, conversion, unjust enrichment and conspiracy.

Judge Previously Assigned

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No

Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 625 DRUG RELATED	[] 422 APPEAL	[] 375 FALSE CLAIMS
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	21 USC 881	[] 423 WITHDRAWAL	[] 400 STATE
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	[] 365 PERSONAL INJURY	[] 690 OTHER	28 USC 157	REAPPORTIONMENT
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY			[] 410 ANTITRUST
[] 151 MEDICARE ACT	[] 340 MARINE				[] 430 BANKS & BANKING
[] 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY				[] 450 COMMERCE
	[] 350 MOTOR VEHICLE	[] 370 OTHER FRAUD			[] 460 DEPORTATION
	[] 355 MOTOR VEHICLE	[] 371 TRUTH IN LENDING			[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 360 OTHER PERSONAL INJURY	[] 380 OTHER PERSONAL PROPERTY DAMAGE			[] 480 CONSUMER CREDIT
	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 385 PROPERTY DAMAGE			[] 490 CABLE/SATELLITE TV
[] 160 STOCKHOLDERS SUITS					
[] 190 OTHER CONTRACT					[] 850 SECURITIES/ COMMODITIES/ EXCHANGE
[] 195 CONTRACT PRODUCT LIABILITY					[] 890 OTHER STATUTORY ACTIONS
[] 196 FRANCHISE	ACTIONS UNDER STATUTES	PRISONER PETITIONS	LABOR	SOCIAL SECURITY	[] 891 AGRICULTURAL ACTS
	CIVIL RIGHTS	[] 463 ALIEN DETAINEE	[] 710 FAIR LABOR STANDARDS ACT		
		[] 510 MOTIONS TO VACATE SENTENCE	[] 720 LABOR/MGMT RELATIONS		
		28 USC 2255			
		[] 530 HABEAS CORPUS	[] 740 RAILWAY LABOR ACT	FEDERAL TAX SUITS	
		[] 535 DEATH PENALTY	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)		
		[] 540 MANDAMUS & OTHER	[] 790 OTHER LABOR LITIGATION		
			[] 791 EMPL RET INC SECURITY ACT (ERISA)		
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)				
	[] 441 VOTING	IMMIGRATION			
[] 210 LAND CONDEMNATION	[] 442 EMPLOYMENT	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION APPLICATION		
[] 220 FORECLOSURE	[] 443 HOUSING/ ACCOMMODATIONS	[] 550 CIVIL RIGHTS	[] 465 OTHER IMMIGRATION ACTIONS		
[] 230 RENT LEASE & EJECTION	[] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 555 PRISON CONDITION			
[] 240 TORTS TO LAND	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			
[] 245 TORT PRODUCT LIABILITY					
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION				

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

not less than

DEMAND \$ \$1 billion OTHER injunction JUDGE DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: YES NO

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented | | | | | | |
| <input type="checkbox"/> b. At least one party is pro se. | | | | | | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |

(PLACE AN X IN ONE BOX ONLY)

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> 1 U.S. PLAINTIFF | <input type="checkbox"/> 2 U.S. DEFENDANT | <input checked="" type="checkbox"/> 3 FEDERAL QUESTION | <input type="checkbox"/> 4 DIVERSITY
(U.S. NOT A PARTY) |
|---|---|--|--|

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [] 1	DEF [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [] 5	DEF [] 5
CITIZEN OF ANOTHER STATE	[] 2	[] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6	[] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Purolite Corporation: 150 Monument Road, Bala Cynwyd, PA 19004, USA (Montgomery County)

Purolite AG: Unit D, Llantrisant, Business Park, Llantrisant, UK CF72 8LF GB, Wales, UK (Rhondda Cynon Taf Wales County)

Purolite K.K.: Dear Nihonbashi Tower 8F, 2-1-20, Nihonbashi, Chuo-ku, Tokyo, 103-0027, Japan

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Hitachi America, Ltd.: 50 Prospect Avenue, Tarrytown, NY 10591 (Westchester County)

AVANTech, Inc.: 2050 American Italian Way, Columbia, SC 29209 (Richland County)

James Braun: 323 Steeple Crest North, Irmo, SC 29063 (Richland County)

Tracy Barker: 305 City Club Drive, Columbia, SC 29201 (Richland County)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

John and Jane Does 1 through 20

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

DO NOT check either box if this is a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTANAugust 31, 2016
DATE/s/ Leonard A. Feiwus
SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

[X] YES (DATE ADMITTED Mo. 3 Yr. 1994)
Attorney Bar Code # 2611135

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)